



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Brian William HOLMES

Group Art Unit: 2872

Application No.: 10/507,079

Examiner: A. CHANG

Filed: October 8, 2004

Docket No.: 121058

For: OPTICALLY VARIABLE SECURITY DEVICE AND METHOD

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In consideration of the attached Petition for Extension of Time and Suspension of Action Under 37 C.F.R. §103(a), and in reply to the December 14, 2009 Office Action, Applicant respectfully requests reconsideration of the pending claims at least in light of the following remarks. Claims 32, 71 and 74-90 and 93-131 are pending in this application.

Applicant thanks the Examiner for indicating that claim 32 is allowed and that claim 105 recites allowable subject matter.

The Office Action rejects claims 71, 74, 75, 77, 79, 80, 82-89, 93-95 and 98-103 under 35 U.S.C. §103(a) over Mallik, U.S. Patent No. 5,128,779, in view of Heckenkamp et al., U.S. Patent No. 5,801,857, Yu et al., U.S. Patent No. 5,282,066, and Cueli et al., U.S. Patent No. 5,513,019. Applicant respectfully traverses the rejection.

The Office Action contains numerous inconsistencies such that Applicant is unsure exactly what position is taken in the Office Action to allegedly reject the claims. For example, the Office Action states, on page 3, line 3, "this reference has met all the limitations